

05/2016 JW



CANNON BUILDING
861 SILVER LAKE BLVD., SUITE 203
DOVER, DELAWARE 19904-2467

STATE OF DELAWARE
COUNCIL ON REAL ESTATE APPRAISERS

TELEPHONE: (302) 744-4500
FAX: (302) 739-2711
WEBSITE: DPR.DELAWARE.GOV
EMAIL: customerservice.dpr@state.de.us

PUBLIC MEETING MINUTES:	COUNCIL ON REAL ESTATE APPRAISERS
MEETING DATE AND TIME:	Tuesday, May 17, 2016 at 9:30 a.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room A Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	June 21, 2016

MEMBERS PRESENT

Lynn Baker, Professional Member, Chair
Douglas Nickel, Professional Member, Vice-Chair
Kevin Gillis, Banking Member
Patricia Ennis, Public Member
Denise Stokes, Public Member
Mark Rainford, Public Member
Christopher Schneider, Professional Member
Earl Timmons, Professional Member

MEMBERS ABSENT

Georgianna Trietley, Professional Member.

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Jennifer Witte, Administrative Specialist II
Kevin Maloney, Deputy Attorney General

OTHERS PRESENT

Doug Sensabaugh
Gary Bryde
Georgo Allen

CALL TO ORDER

Mr. Baker called the meeting to order at 9:37 a.m.

REVIEW OF MINUTES

A motion was made by Mr. Nickel, seconded by Ms. Stokes, to approve the minutes from the April 19, 2016 meeting as presented. The motion was unanimously carried.

UNFINISHED BUSINESS

Proposal to Deny Hearing – George Allen – 9:30 a.m.

The hearing went on record at 9:39 a.m. The Council members were introduced. Mr. Maloney stated that today's hearing is a result of the Council's proposal to deny Mr. Allen's re-application for a certified general real property appraiser license at its March 15, 2016 meeting for not meeting the requirements for licensure as stated in Rule 2.2.3 and 4008(a)(1)(a) of the Statute. Mr. Allen was present and represented by his attorney, Gary Bryde. Mr. Bryde stated that given his age, Mr. Allen would like the opportunity to work in this profession for a little while longer and would like the Council to consider waiving or suspending the rule stating that expired licenses more than 60 days outside of the expiration date should have to reapply for licensure. Mr. Allen was sworn in and gave testimony as to both his experience and medical history. Mr. Maloney marked as Council Exhibit 1 a packet of documentation from Mr. Allen which included his re-application for licensure and supporting documentation as well as the Council's letter proposing to deny the application. Mr. Allen took questions from the Council members. Mr. Maloney marked as Applicant Exhibit 1 documentation from the VA Hospital supporting Mr. Allen's health. The Council entered into deliberations. After deliberating, a motion was made by Mr. Nickel, seconded by Ms. Ennis, to deny the application of Mr. Allen per Rule 2.2.3 and 4008(a)(1)(a). The motion was carried by Mr. Rainford, Mr. Baker and Mr. Schneider and Mr. Gillis. Mr. Timmons abstained. Ms. Stokes opposed. The hearing concluded and went off record at 10:22 a.m.

Conduct Deliberations from Public Hearing Regarding Proposed Amendments to the Council's Rules and Regulations

After a review of the proposed amendments to the Council's rules and regulations, Ms. Witte confirmed that there were no additional public comments received. A motion was made by Mr. Nickel, seconded by Mr. Rainford, to approve the proposed amendments to the rules and regulations as written. The motion was unanimously carried.

Sign Final Order – Patrick Lorenz

The Council signed the final order for Patrick Lorenz.

Review and Consider Recommendation of Chief Hearing Officer – Alvin Daviston, Case #19-04-14

After review and deliberations, a motion was made by Ms. Ennis, seconded by Mr. Nickel, to accept the recommendation of the Chief Hearing Officer for Alvin Daviston as presented. The motion was unanimously carried.

NEW BUSINESS

Approval of Continuing Education Activities

After review, a motion was made by Mr. Nickel, seconded by Ms. Stokes, to approve the following continuing education activities as presented:

International Right of Way Association

Principles of Real Estate Appraisal, C-400, 16 hours CE (classroom)

McKissock

Appraisal Subject Matter Electives, 20 hours QE (classroom)

Residential Appraisal Review and USPAP Compliance, 7 hours CE (online)

Appraisal Institute

2016 Annual Conference Sessions-Day One, 2 hours CE (classroom)

2016 Annual Conference Sessions-Day Two AM, 3 hours CE (classroom)

2016 Annual Conference Sessions-Day Two PM, 4 hours CE (classroom)

2016 Annual Conference Sessions-Day Three, 4 hours CE (classroom)

The motion was unanimously carried.

Ratify Real Estate Appraiser Trainee Applications

A motion was made by Ms. Stokes, seconded by Mr. Nickel, to approve the ratified application of Mark Daniel. The motion was unanimously carried.

Ratify Real Estate Certified General Appraiser Applications - Reciprocity

A motion was made by Mr. Rainford, seconded by Ms. Ennis, to approve the ratified application of David Lotierzo. The motion was unanimously carried.

Ratify Real Estate Certified Residential Appraiser Applications – Reciprocity

A motion was made by Mr. Nickel, seconded by Ms. Stokes, to approve the ratified applications of Karen Wilson and Donna Burns. The motion was unanimously carried.

Review of Applications for Certification as an Assessor

After review, a motion was made by Mr. Nickel, seconded by Mr. Gillis, to approve the application of Sherry Collins. The motion was unanimously carried.

After review, a motion was made by Mr. Nickel, seconded by Ms. Ennis, to approve the application of Erin Lawhorn. The motion was unanimously carried.

After review, a motion was made by Mr. Nickel, seconded by Mr. Timmons, to table the application of Lawrence Trzonkowski for 75 hours of qualifying education. The motion was unanimously carried.

Review List of Crimes Substantially Related to the Council on Real Estate Appraisers

Mr. Maloney stated that there is a movement nationwide to breakdown the hurdles that present to applicants that have been incarcerated. Mr. Maloney suggested that the Board review the current list of crimes in 11.0 of the Rules and Regulations and add to the agenda for the next scheduled meeting for discussion.

CORRESPONDENCE

The Council was in receipt of a letter regarding a request for a waiver for ISGN Solutions, Inc. per 4025 (b)(2) of the statute. The Council was in agreeance to not grant a waiver.

OTHER BUSINESS BEFORE THE COUNCIL

Ms. Witte updated the Council on the Appraisal Subcommittee review that will be scheduled for January 2017.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting will be June 21, 2016 at 9:30 a.m. in Conference Room A.

ADJOURNMENT

There being no further business, a motion was made by Mr. Nickel, seconded by Mr. Gillis, to adjourn the meeting at 11:31 a.m. The motion unanimously carried.

Respectfully submitted,

Jennifer L. Witte

Administrative Specialist II